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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/073,088

02/09/2002

Frank Sacca

3088

7590

05/20/2005

FRANK SACCA
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EXAMINER

KOSTAK, VICTOR R

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/073,088

Applicant(s)

SACCA, FRANK

Examiner

Victor R. Kostak

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-21 is/are pending in the application.
- 4a) Of the above claim(s) 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) 14-21 is/are allowed.
- 6) ☒ Claim(s) 4-12 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Claim 13 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim must be in the alternative only. See MPEP § 608.01(n). Accordingly, the claim has not been further treated on the merits.

2. Claims 7-12 are objected to because of the following informalities:

a) “said digital composite video” recited in claim 7 lacks definite antecedence because “digital composite video” has not yet been introduced;

b) likewise “said composite video line” recited in claim 8 lacks definite antecedence because “composite video line” has not been recited previously; and

c) in line 9 of claim 14, “components” should be singular.

Applicant is reminded that the term “said” requires that the feature to which it refers was previously recited *verbatim*.

Appropriate correction is required.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 8 –12 are also rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 8 and 10, “the modulated video signal” does not appear to be an inherent feature because at the processing stage described, the signal would be in demodulated form.

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In claim 11, the feature "said composite video" has ambiguous antecedence because both an analog and a digital composite video line were recited earlier.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 4, 7, 10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Cooper.

The color demodulator of Cooper (noting Fig. 4) receives an analog composite input signal (at terminal 67) which is converted by A/D convertor 68 as signal 73, wherein the digital processing elements downstream element 68 do not require a phase-locked loop to detect the color burst phase of the composite analog video signal (element 97: col. 5 lines 53-59. It is noted that PLL 72 is an optional element: col. 4 lines 49-53), thereby meeting claim 4.

As for claim 7, initial line detection is used by sync separator 69 that accommodates signal 81C, prior to detection of the subcarrier.

As for claim 10, the color burst phase is determined by processing the video samples between each respective line start and the active video portion of each line.

Regarding claim 12, chroma ref generator 94 provides the regenerated subcarrier in quadrature form ($\sin \Theta$ and $\cos \Theta$) as signals 95 and 95, which are mixed with the digitized video samples and in turn converted into R, G and B color components by element 91 for display.

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5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper in view of Ross (of record).

It would also have been obvious to use any type of buffering in the system of Cooper as so preferred, consideration given to performance. Buffering in general is very well known and used in broad-reaching fields of endeavor, the benefits thereof being well accepted (improved data transfer for subsequent processing), such as the video/fax frame buffer 14 as shown by Ross who specifies its benefits (col. 3 lines 20-22).

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper in view of Amano (of record).

It would have been obvious to one of ordinary skill in the art to integrate electronic components associated with each other, such as the A/D convertor and adjacent processing elements of Cooper, as is taught by Amano (e.g. col. 2 lines 40-44), for the well known benefits of minimizing circuit arrangement (space conservation being a primary consideration of the circuit designer), as well as for ensuring superior communication between the two components. Applicant in fact admits that having A/D convertors and associated processors integrated is well known (last full paragraph on page 6 of his specification).

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7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Both Suzuki and O'Gwynn point out that PLL's are not used in determining color burst phase data in their analog/digital video processing systems.

8. Claims 8, 9, 11 and 14-21 appear allowable over the prior art.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor R. Kostak whose telephone number is (571) 272-7348. The examiner can normally be reached on Monday - Friday from 6:30am-3:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this final action should be mailed to:

Box AF
Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 308-HELP.



Victor R. Kostak
Primary Examiner
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